

REMARKS

In the outstanding Office Action, all claims pending (1-13) were subjected to a restriction requirement.

RESTRICTION AND ELECTION REQUIREMENT SUMMARY

The Examiner has required restriction to a single invention under 35 § U.S.C. 121 and 372. The Examiner asserts that the instant application contains multiple inventions or groups of inventions, which are not so linked as to form a single general inventive concept under PCT Rule 13.1. The inventions are set forth in the Office Action as follows:

Group I, claims 1 - 7, asserted to be drawn to oligonucleotides;

Group II, claim 8, asserted to be drawn to a method for marking using an oligonucleotide; and

Group III, claim 9-13, asserted to be drawn to a method of identifying a vehicle using an oligonucleotide.

In support of the requirement the Examiner states:

The inventions listed as Groups I-III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

The special technical feature of Group I is considered to be the oligonucleotide. Dollinger et al. (WO 90/14441, cited on IDS), teach a nucleic acid taggant to identify diverse materials (see abstract). Dollinger et al. teach attaching a nucleotide to a material, such as oil, ink, food, paint (see page 2, lines 18-20). Dollinger et al. teach a nucleic acid covalently bound to a solid support or encapsulated by polymeric substances (phase agents) or lipophilic compositions (phase agents) (see page 2, lines 25-31). Therefore, Dollinger et al. teach an oligonucleotide that is a marker with a phase transfer agent. Thus, the technical feature linking the recited groups I-V (sic) does not constitute a special technical

feature as defined by PCT Rule 13.2, as it does not define a contribution over the prior art.

RESPONSE

Applicants provisionally elect to continue prosecution of **Group I, claims 1-7** drawn to oligonucleotides.

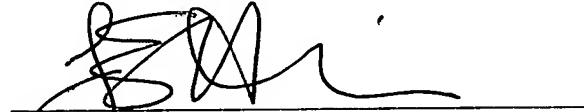
CONCLUSION

If the Examiner has any questions or comments regarding this matter, the Examiner is welcomed to contact the undersigned attorney at the below-listed number and address.

In the event this paper is not timely filed, Applicants petition for an appropriate further extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

THE NATH LAW GROUP



Gary M. Nath
Registration No. 26,965
Tanya E. Harkins
Registration No. 52,993
Customer No. 20529

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THE NATH LAW GROUP
112 S. West Street
Alexandria, VA 22314
(703) 548-6284